

REMARKS

Claims 11-29 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein

REJECTION UNDER 35 U.S.C. § 112

Claims 11, 21, 19, 20 and 29 stand rejected under 35 U.S.C. § 112, first paragraph, as being based on a disclosure that is not enabling. In particular, the Examiner alleges that elements critical or essential to the practice of the invention are not included in the claims. This rejection is respectfully traversed.

Claim 11 recites a current biasing circuit, a frequency boosting circuit, and a current mirror circuit, and further recites that both the frequency boosting circuit and the current mirror circuit receive a main bias that the current biasing circuit generates. Claim 21 includes similar structure. Applicant respectfully submits that the foregoing structure is disclosed in both the detailed description and FIG. 3A of the specification. In particular, FIG. 3A discloses the current biasing circuit 12, the frequency boosting circuit 78, and the current mirror circuit 79. The frequency boosting circuit 78 and the current mirror circuit 79 receive the main bias 16. FIG. 3A is described in this manner in paragraph [0044] of the detailed description.

The Examiner alleges that Claims 11 and 21 fail to “connect the frequency boosting circuit and the current mirror circuit,” and that the disclosure does not support the circuit as currently recited in the claims. The Examiner further alleges that Claims 11 and 21 require the limitations of Claims 12 and 22, respectively, to properly define

the circuit. However, the limitations in Claims 12 and 22 reflect a preferred embodiment of the invention disclosed in FIG. 3B and paragraph [0045] of the specification. In determining whether an unclaimed feature is critical, the entire disclosure must be considered and features which are merely preferred are not to be considered critical. *In re Goffe*, 542 F.2d 564, 567; *Manual of Patent Examining Procedure* § 2164.08(c).

Further, “an enablement rejection based on the grounds that a disclosed critical limitation is missing from a claim should be made only when the language of the specification makes it clear that the limitation is critical to the invention to function as intended,” and **“broad language in the disclosure, including the abstract, omitting an allegedly critical feature, tends to rebut the argument of criticality.”** *Id.* (Emphasis added) Applicant respectfully submits that the abstract section **omits** the features identified by the Examiner, and the Examiner’s argument of criticality is thereby rebutted. Further, paragraph [0044] broadly states that the frequency boosting circuit 78 receives the cascode bias 15 and the main bias 16 without including the structural limitations recited in Claim 12, Claim 22, and/or in FIG. 3B. Therefore, Applicant believes the rejection under § 112, first paragraph is improper.

REJECTION UNDER 35 U.S.C. § 102

Claims 11, 19-21 and 29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Thrower et al. (U.S. Pat. No. 5,381,034). This rejection is respectfully traversed.

With respect to Claim 11, Thrower does not show, teach, or suggest a current biasing circuit that generates a cascode bias and a main bias.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988).

The Examiner alleges that Thrower discloses a frequency boosting circuit 640 that receives a cascode bias and a main bias from a current biasing circuit 620. In particular, the Examiner alleges that FIG. 6 of Thrower discloses that the frequency boosting circuit 640 receives the main bias from the current biasing circuit 640 and receives the cascode bias from the current biasing circuit 640 via a feedback loop through a current mirror 630. Applicant respectfully disagrees.

Applicant's Claim 11 recites "a current biasing circuit that generates a cascode bias and a main bias" and "a frequency boosting circuit that receives said cascode bias and said main bias." Further, Claim 11 recites "a current mirror circuit that receives said main bias." In other words, the current biasing circuit generates both the cascode bias and the main bias, and both the frequency boosting circuit and the current mirror circuit receive the main bias. Thrower does not show, teach, or suggest such a structure. In contrast, Thrower discloses that circuits 610, 620, and 630 receive an NBIAS signal. A compensation capacitor 640 does not receive the NBIAS signal. Instead, the compensation capacitor 640 receives a current signal from a current source 623 and/or a signal from a buffer 625. These signals are not analogous to the NBIAS signal that the circuit 630 receives. Therefore, Thrower does not appear to disclose any common

signal (i.e. a main bias) that both the compensation capacitor 640 and the circuit 630 receive.

Further, it is unclear which of the signals disclosed in FIG. 6 of Thrower are the alleged main bias and cascode bias. It appears that the compensation capacitor 640 only receives one signal from the circuit 620. As such, the compensation capacitor 640 cannot be said to be receiving both a cascode bias and a main bias. Applicant respectfully note that any connection between the compensation capacitor 640 and the circuit 630 cannot be interpreted as a main bias or a cascode bias, because Claim 11 clearly requires that the current biasing circuit generates the cascode bias and the main bias. In other words, the current mirror circuit as recited in Claim 11 does not generate the cascode bias and/or the main bias. Any signal that the compensation capacitor 640 receives from the circuit 630 would not be structurally or functionally equivalent to a signal generated by the circuit 620.

Therefore, Claim 11 and its corresponding dependent claims are allowable for at least these reasons. Claim 21 and its corresponding dependent claims are allowable for at least similar reasons as Claim 11.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 12-18 and 22-28 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter. However, Applicant elects to defer amending the claims until after the Examiner has considered the remarks contained herein. Applicant reserves the right to amend the claims to the originally allowable form at a later date if needed.

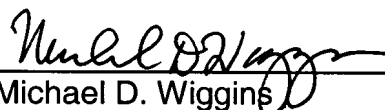
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: _____


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